

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

OLOSAELOKA NZEKWE,

Petitioner,

VS.

ERIC H. HOLDER, U.S. ATTORNEY
GENERAL, *et al.*,

Respondents.

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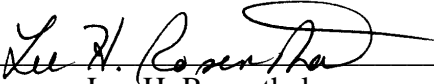
CIVIL ACTION NO. H-14-2491

**ORDER GRANTING RESPONDENT'S MOTION TO DISMISS
AND ENTERING FINAL JUDGMENT**

The respondents filed a motion to dismiss this 28 U.S.C. § 2241 petition filed by an alien convicted of an aggravated felony and a drug-trafficking offense, and found removable on that basis. (Docket Entry No. 7). The respondent has shown that the undisputed facts in the record prove, as a matter of law, that detaining the petitioner for more than six months did not violate his constitutional rights. 8 U.S.C. § 1231; *see Zadvydas v. Davis*, 533 U.S. 678 (2001). The record shows that the delay in removal resulted from the petitioner's own actions, not from the respondents'. The record also shows that the petitioner was not eligible for release on bond.

The motion to dismiss is granted. This action is dismissed with prejudice. This is a final judgment.

SIGNED on February 27, 2015, at Houston, Texas.



Lee H. Rosenthal
United States District Judge